



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/876,348 Conf. No.: 9095  
Applicant : Kathleen L. Horwath et al.  
Filed : June 7, 2001  
TC/A.U. : 1653  
Examiner : Hope A. Robinson  
Docket No. : RB-125-RI  
Title : NUCLEIC ACID SEQUENCES ENCODING TYPE III  
TENEBRIOS ANTIFREEZE PROTEINS AND METHOD FOR  
ASSAYING ACTIVITY  
Customer No. : 41245

Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

PRELIMINARY AMENDMENT

S I R:

In response to the Final Office Action of September 10, 2004, kindly amend the above-identified patent application as follows.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper

**Remarks/Arguments** begin on page 9 of this paper.